

**Through Video Conference via CISCO Webex**

CS No. 214/2021  
Meera Jain vs. Rahul Gupta

07.01.2022

Present: Sh. Irfan Ahmed, counsel for the plaintiff.  
Sh. Vikas Arora, counsel for the defendant.

Learned counsel for the plaintiff submits that they have filed the site plan. Copy be supplied to the Learned counsel for the defendant, in the soft form as well as in the hard form, within a week from today.

An application u/o XXXIX Rule 10 CPC awaits disposal.

It is submitted by the Learned counsel for the defendant that the present suit itself is not maintainable considering the fact that this court would not have the jurisdiction having regard to the fact that the parties are covering under Rent Act. It is submitted by Learned counsel for the defendant that as a matter of fact that the rent has already been paid and the defendant, being a tenant till 2034, has right to continue in the premises.

Plaintiff side submits that these documents was not placed on record earlier, and are being challenged by the plaintiff including on the ground of bad faith/ mis-use by the defendant.

Parties have been heard at length.

Learned counsel for the defendant seeks time to argue while submitting that he is down with infection and has no access to the complete file.

Matter is, accordingly, adjourned for arguments.

Written submissions, if any, on behalf of both the parties, be filed within 4 weeks from today with an advance copy to the opposite side. No further opportunity would be granted.

Rejoinder to the application u/o XXXIX Rule 10 CPC be filed within a week from today with an advance copy to the opposite side.

Replication to the WS as well be filed within 4 weeks from today with an advance copy to the opposite side.

It is the concern of the Learned counsel for the plaintiff that the plaintiff is based abroad and would not available for signing the rejoinder and replication.

Rejoinder and replication can be soft signed and be supplied to the Learned counsel for the plaintiff within a week from today. Liberty to the plaintiff to file the rejoinder and replication with physical signatures subsequently.

Affidavit of admission/denial be filed with advance copy to the opposite side.

List the matter on 21.03.2022 for arguments.

**(NIKHIL CHOPRA)**  
**ADJ-02/SOUTH/SAKET COURTS**  
**NEW DELHI/07.01.2022**